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ETH-5062

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of
DAVID W. OVERAKER

Group Art Unit 3731

Serial No.: 10/609,336

Confirmation No. 9275

Filed: June 28, 2003

For: SURGICAL ANCHOR INSERTER

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. §§ 1.97 and 1.98, applicant and his attorney respectfully request that the following patents and publications be made of record in the official United States Patent and Trademark Office file relating to the above-identified application. The citation of the following patents and publications should not be construed as an admission that they constitute prior art with respect to the present invention.

U.S. Patent Nos.

4,870,957
5,156,616
5,217,486
5,268,001
5,507,801
5,662,658

5,725,529
5,814,072
5,868,789
5,948,002
5,968,044
5,993,463

6,033,430
6,136,032*
6,312,448
6,554,852

U.S. Patent Publication No.

US/2002/0143329

Foreign Patent Publications

International Patent Publication No. WO 97/29693*
International Patent Publication No. WO 01/06909 A2*

Applicant's attorney would like to inform the Examiner of the following co-pending patent applications which are owned by the assignee of the present application (i.e., Ethicon, Inc.).

"Expandable Cable Anchor"
Serial No. 10/112,619
Atty. Docket No. ETH-1643
filed March 29, 2002
Inventors: David Overaker, et al.

"Threaded Cable Anchor"
Serial No 10/112,618
Atty. Docket No. ETH-1644
filed March 29, 2002
Inventors: David Overaker, et al.

Pursuant to 37 C.F.R. 1.98, copies of the aforesaid patent applications are enclosed herewith for the Examiner's convenience.

Applicant's attorney notes that U.S. Patent Publication No. US/2002/0143329 and co-pending co-owned U.S. patent application having U.S. Serial No. 10/112,619, entitled, "EXPANDABLE CABLE ANCHOR", docket number ETH-1643, are both identified and discussed in the specification of the present application. In these circumstances, no further comments are deemed necessary in connection with these two references.

Applicant's attorney also notes that the patent and publications listed above and on the previous page that are designated with an asterisk, "*", were cited in a

European Search Report issued in connection with applicant's European Patent Application No. 032519886, which corresponds to co-pending co-owned U.S. patent application having U.S. Serial No. 10/112,619, entitled, "EXPANDABLE CABLE ANCHOR", docket number ETH-1643. With reference to the attached copy of the European Search Report, it provides an indication as to the relevance of the cited patent and publications perceived by the European Patent Office.

All of the above-listed references are in the English language. In such circumstances, comments concerning the relevance of the foregoing references are considered unnecessary.

In order to facilitate the Examiner's citation of the patents and publications listed above, applicant's attorney has completed United States Patent and Trademark Office Form PTO/SB/08 (formerly PTO-1449). The completed Form is attached hereto for the Examiner's convenience.

No fees are believed to be due in connection with the submission of this Information Disclosure Statement. If any such fees are due, the Examiner is hereby authorized to charge them to Deposit Account No. 501402.

Respectfully Submitted,

McCARTER & ENGLISH, LLP



By: Sanjiv M. Chokshi
Reg. No. 44,080

McCARTER & ENGLISH, LLP
Four Gateway Center
100 Mulberry Street
Newark, New Jersey 07102
(973) 622-4444
NWK2: 1186888.01



PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1

of 2

Complete if Known

Application Number	10/609,336
Filing Date	June 28, 2003
First Named Inventor	David W. Overaker
Art Unit	3731
Examiner Name	To Be Assigned
Attorney Docket Number	ETH-5062

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	1	US- 4,870,957	10-03-1989	Goble, et al.	
	2	US- 5,156,616	10-20-1992	Meadows, et al.	
	3	US- 5,217,486	06-08-1993	Rice, et al.	
	4	US- 5,268,001	12-07-1993	Nicholson, et al.	
	5	US- 5,507,801	04-16-1996	Gisin, et al.	
	6	US- 5,662,658	09-02-1997	Wenstrom, Jr.	
	7	US- 5,725,529	03-10-1998	Nicholson, et al.	
	8	US- 5,814,072	09-29-1998	Bonutti	
	9	US- 5,868,789	02-09-1999	Huebner	
	10	US- 5,948,002	09-07-1999	Bonutti	
	11	US- 5,968,044	10-19-1999	Nicholson, et al.	
	12	US- 5,993,463	11-30-1999	Truwit	
	13	US- 6,033,430	03-07-2000	Bonutti	
	14	US- 6,136,032	10-24-2000	Viladot Perice, et al.	
	15	US- 6,312,448 B1	11-06-2001	Bonutti	
	16	US- 6,554,852 B1	04-29-2003	Oberlander	
	17	US- 2002/0143329 A1	10-03-2002	Serhan, et al.	
		US-			
		US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ *Number ⁴ *Kind Code ⁵ (if known)				
	18	WO 97/29693	08-21-1997	International		
	19	WO 01/06909 A2	02-01-2001	International		

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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(Use as many sheets as necessary)

Complete if Known

Application Number	10/609,336
Filing Date	June 28, 2003
First Named Inventor	David W. Overaker
Art Unit	3731
Examiner Name	To Be Assigned
Attorney Docket Number	ETH-5062

[illegible]

Examiner Signature		Date Considered	
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1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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